

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 24-21348-CV-WILLIAMS

EMILIO PINERO,

Plaintiff,

v.

CLIFTON SAMUELS, *et al.*,

Defendants.

FINAL DEFAULT JUDGMENT

THIS MATTER is before the Court on Plaintiff Emilio Pinero's Verified Motion for Default Judgment and Verified Application for Attorneys' Fees, Costs, and Expert Fees (DE 13) ("**Motion**"). For the reasons stated in the Court's Order granting the Motion (DE 16), the Court enters **FINAL JUDGMENT**, pursuant to Rule 58 of the Federal Rules of Civil Procedure, in favor of Plaintiff Emilio Pinero and against Defendants Clifton Samuels and Cliff's Restaurant Miami, Inc. as follows:

1. Plaintiff's counsel is entitled to recovery of reasonable attorney's fees and taxable costs incurred in this action totaling **Two-Thousand, Nine-Hundred and Twenty-Four Dollars and Seventy-Six Cents.**

2. By **December 31, 2024**, Defendants shall take all necessary steps to bring the Subject Property into full compliance with the requirements set forth in the Americans with Disabilities Act ("**ADA**"), and its implementing regulations, so that its property is fully accessible to disabled persons, by specifically remediating the following barriers to access:

Accessible Parking

- a) Failure to provide compliant accessible parking in violation of 2010 ADAAG §§208, 208.2, and 502.
- b) Failure to provide a compliant access aisle adjacent to an accessible parking space in violation of 2010 ADAAG §§502.2 and 502.3.

Exterior Accessible Routes

- c) Failure to provide a compliant accessible route from any site arrival point due to 4 inch step to entry in violation of 2010 ADAAG §§206, 206.2.1, and 206.2.2.

Interior

- d) Failure to provide a lowered service counter in violation of 2010 ADAAG §904.4.

Seating

- e) Failure to provide a sufficient amount of exterior and interior seating when dining surfaces are provided for the consumption of food or drink in violation of 2010 ADAAG §§226.1 and 902.
- f) Failure to provide compliant seating at a bar when dining surfaces are provided for the consumption of food or drink in violation of 2010 ADAAG §§226.1 and 902.3.

DONE AND ORDERED in Chambers in Miami, Florida, on this 24th day of July, 2024.


KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE